

Applicant : Robert B. Dopp et al. Art Unit : 1745
Serial No. : 10/817,557 Examiner : Monique M. Wills
Filed : April 2, 2004
For : Air Cell with Improved Leakage Resistance

REMARKS

Claims 1-54 remain in the application. Claims 1-7, 11, 13, 14, 16, 18-45 and 48-54 are elected with traverse.

In the Office action mailed June 28, 2007, the Examiner required restriction to a single disclosed species under 35 USC § 121. The Examiner identified three species, polyacrylates, polyvinyl alcohols and polyamides, as being patentably distinct because they are independent transformable. The Examiner required Applicant to elect a single species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable and identified claim 1 as currently generic. Applicant was also required to identify the species that is elected consonant with the restriction requirement, listing all claims readable thereon, including any claims subsequently added. The Examiner pointed out that upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim, as provided by 37 CFR § 1.141.

Applicant hereby elects the polyamide species with traverse. Claims readable on the elected species are 1-7, 11, 13, 14, 16, 18-45 and 48-54. The restriction requirement is traversed because at least the independent claims (1, 39 and 54) are generic.

Respectfully submitted,

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